OURNAL'S BUSINESS DIRECTORY. AGENT INDIANAPOLIS JOURNAL— Wm. L. Rice, 2805 West Michigan street. Tele-phones: old, 28750; new, 3152. Territory west of

COAL-Coburn Coal Co., East 22d st. An-thracite coke, hard and soft coal. Phone 2445.

BRILL & CO., fancy dyers and cleaners; silk curtains, any color, cleaned and finished equal to new; also ladles' light cloth jackets a specialty. 238 Massachusetts avenue and 155 North alty. 238 Mas linois street.

BERTERMANN FLORAL COMPANY, New No. 241 Mass ave., 226 N. Del. st. Tel. 840.

UNION CO-OPERATIVE LAUNDRY. Work called for. 138-144 Virg. ave. 'Phone 1269. MANTELS AND GRATES-P. M. PURSELL (Mantels, Furnaces), 221 Mass. ave.

PATENT LAWYERS-V. H. LOCKWOOD, 415-418 Lemeke building. SALE AND LIVERY STABLES-

HORACE WOOD (Carriages, Traps, Buck-boards, etc.) 25 Circle, Tel. 1097. SHOW CASES-WILLIAM WEIGEL, 116 South Pennsylvania st.

FRANK BLANCHARD.
99 N. Delaware st. Tel 411. Lady Attendant. WALL PAPERS-

CNDERTAKERS-

H. C. STEVENS, New Style Wall Paper, Low prices. 930 N. Senate ave. Tel. 2 on 2552.

FUNERAL DIRECTORS.

FLANNER & BUCHANAN-(License embalmers.) Can ship diphtheria and scarlet fever. Lady embalmer for ladies and children. 220 North Illi-nois st. Telephone 641, new and old

FUNERAL DIRECTOR, Residence Phone, New 1749. branch office on N. Illinois street.

DIED.

CLARK-Florence Eleanor, daughter of John W. and Sarah L. Clark, Tuesday afternoon at , aged five years and three months. Funeral the residence, No. 1808 North Pennsylvani treet, Thursday morning, April 19, at 19 o'clock. Friends invited. Burial private. KELLOGG-Dr. Norman P. Kellogg, at his residence, 613 East Tenth street, April 18,

M'PHERSON-Jared Orr McPherson, aged nine-teen, son of Mr. and Mrs. Chester J. McPherson, died Wednesday morning. Funeral service at family residence, No. 111 West North street, 11:45 a. m. to-day (Thursday.) Burial at

FINANCIAL.

LOANS-Money on mortgages. C. F. SAYLES, 135 East Market street. LOANS On city property; 5½ per cent.; no com-mission; money ready. C. N. WILLIAMS & CO., 319 Lemcke building. IONEY-To loan on Indiana farms; lowest marcet rate; privilege for payment before due; we so buy municipal bonds. THOS. C. DAY & CO., 805,812 Law building, Indianapolis. FINANCIAL-Loans made to honest salaried people holding permanent positions with re-sponsible concerns on their own names. Easiest terms. Get others' rates then see us. Strictly

SECURITY MORTGAGE LOAN CO., 207 Indiana Trust building. FOR SALE.

FOR SALE-Ten R.I.P.A.N.S for 5 cents at Druggists; one gives relief.

STORAGE.

STORAGE-The Union Transfer and Storage pany, corner East Ohio street and Beene tracks; only first-class storage solicited. OODS A SPECIALTY.

WANTED-MALE HELP.

WANTED-First-class bloycle assembler. Apply or write ELK CYCLE WORKS, the Arcade or write ELK CYCLE W WANTED-Men, our catalogue explains how we teach barber trade in eight weeks without expense; mailed free. MOLER BARBER COLLEGE, Chicago, Ill.

NOTICE. Statement of receipts and expenditures of the to April 1, 1900: RECEIPTS. Water rates-private consumption.... City of Indianapolis-fire protection, Town of Woodruff Place-fire protec-Rents of water power-tenements and EXPENDITURES. Current expenses-printing, advertisng, stationery, gas, telephone rent, telegraphing, postage, repairs to meters, traveling expenses, insurance, repairs to tenements, legal expenses, interest, real estate, etc..... alaries of officers and employes..... tefunded water rates, lead stopboxes, water pipes and labor, branch castings valves and fitting. sing department-wages, fuel, telephone rent, packing, oil, gas, telephone etc... 34,908.23

blacksmithing, hardware, department-wages. A. MORRIS, Secretary, ate of Indiana, County of Marion, ss. re me, Frank C. Jordan, a notary publiand for said county, this 11th day of April 900, came T. A. Morris, president, and M. A. Morris, secretary of the Indianapolis Water pany, and under oath declared the above

to be correct and true, according to

lief and knowledge. FRANK C. JORDAN, Notary Public.

department-wages,

THE BISHOP'S FAIR.

commission expires Feb. 4, 1902.

Large Crowd in Attendance at Tom-

There was a large crowd at Tomlinson Hall last night at the opening of the fair of SS. Peter and Paul's The fair will continue throughout the week and the managers expect to net \$6,000, which will be used in paying off the indebtedness of the church. The hall prebeautiful appearance as it is elaborately decorated, and the various booths, at which articles of every description are sold, are tastefully arranged and of unique design. There are other laces besides the booths at which the sitors can spend their money. The wheel of fortune and the "cane rack" did an excellent business last night, while the Egyptian hall and electrical pictures turned in large receipts. There is a Punch and Judy show and postoffice to lure the young people to. One of the neatest booths is the "Ye Old Country Store." where everything can be purchased from live chickens to a drink of cider. The art booths attracted a great deal of attention as did also the palmistry booth, where one can have his fortune told for the sum of fifty cents. Each day at noon a business men's lunch will be served.

Bright Weather Brings Good Trade. The management of the "rummage sale" was much encouraged yesterday with the coming of better weather. The receipts yesterday were about \$70, and a total of about \$1,000. The donations are still liberal and yesterday a lot of women's spring coats were received. These will be sold today at 75 cents each. Among the donations were two sums of money and a quantity of gymnasium apparatus. On account of the large donations of waists there is a lack of skirts and the management is desirous of securing as many of these as ossible. Dishes, shoes and children's clothing is also desired.

Woman Taken to Cincinnati.

An officer of the Cincinnati detective force came here yesterday after Mrs. Alice Arnold, who was arrested Tuesday as a fugitive. She claimed to have been given 250 by a man named Beck to whom she and been married. The detective said that Seck was a deaf and dumb workingman, who claims to have been the victim of a

fraudulent marriage.

PURSUED A WISE POLICY

American Roads Will Be Represented

WHAT HAS BEEN ACCOMPLISHED ON

THE WABASH IN THREE YEARS.

at Paris Exposition-Big Four and Erie to Work More Closely.

Since reorganized, the policy of the Wabash Company has been to charge all betterments, in the way of new rolling stock, steel ralls, new bridges, stations and track improvements, to operating expenses. This policy has been adopted partly because it is believed by the management to be a fairer test of the profit-earning capacity of the system than to charge such items to construction account-and thus increase the aggregate cost of the property-and partly from necessity. The only resources of the company available for such purposes are the net earnings and such assets as may be from time to time convertible into cash. Hence, the operating expenses have been heavily burdened with such expenditure, to the detriment of net earings, rather than incur a large floating debt, which might prove a source of embarrassment. As the physical condition of the property and its equipment are now at a high standard and the earnings beyond precedent, it is evident that Vice President Ramsey will be able, the present year, to greatly improve the Wabash net earnings. The magnitude of these expenditures during the last three or four years will be more clearly appreciated when it is understood that more than three-quarters of the entire equipment of the system has been practically renewed during that period, while, at the same time, nearly all the main track has been renewed with steel rails, much of it with steel weighing eighty pounds to the yard. When the reorganization of the company took place in 1889, the prop-1900, aged seventy-eight years. Funeral notice erty came into possession of the present owners in fair condition for roads at that time, but the receivers had done little towards bringing the road up to modern standards, and the rolling stock had approached the stage of wear when renewal would be essential to continued operation. The present condition of the property, Including its new and enlarged motive power, and increased carry capacity, are satisfac-

> Will Go to Paris Exposition. American roads will be represented at the great Paris exposition. William Renshaw, superintendent of motive power of the Illinois Central, and A. E. Mitchell, superintendent of motive power of the Erie, have accepted appointments as American jurors in Class 32, Group VI, railway appliances of the exposition. L. F. Loree, general manager of the Pennsylvania lines west of Pittsburg, has accepted an appointment as delegate to the railway congress in Paris in September. The work of the juries will be done in Paris in June. Dr. C. B. Dudley, chemist of the Pennsylvania Railroad, has been appointed delegate to the congress of chemistry at the Paris exposition, and J. F. Wallace, of the Illinois Central, president of the American Society of Civil Engineers, has been appointed delegate to the congress on tests and materials, at the exposition in June. Vice President and General Manager Ram-sey, of the Wabash, has been notified that he has been appointed delegate representing the United States government at the international congress of railways to be held at Paris in September. Mr. Ramsey has likewise been selected as a delegate to the same congress for the American Railway Association.

tory proofs of the wisdom of the policy

Want to Build a Russian Road.

E. F. Walker, of Philadelphia, and J McCleary, of Richmond, representing prominent capitalists of Philadelphia and Richmond, have sailed from New York on the steamship New York for Southampton. They are authorized to pledge bonds for any amount of money necessary to secure the contract for building the projected railroad from St. Petersburg to Odessa, which will traverse more than half the Russian empire from north to south. The American agents will go to London, where a conference will be held with Russian military officers. They will then proceed to Paris and Berlin for conference with other Russian officers. It is understood the new railroad cannot be constructed at a cost less than \$90,000,000. Should the contract come to this country the responsible positions in the actual construction of the railroad will be filled by Americans. All heads of departments for the planning and all foremen required for the laying of the railroad will be taken from American offices and workshops, and only American material will be used.

Personal, Lecal and General Notes. The Big Four will, next Sunday, run an excursion from Terre Haute to Indianapo-

lis, the first this season.

been changed from May 8 to May 28. General Agent Gunnip states that the Santa Fe will open its Colorado line May 1, and indications favor a large business. Marvin Hughitt, president of the Chicago & Northwestern, passed through the city, last night, en route to Hot Springs, W. Va. The Hocking Valley road, in the second week of April, earned \$90,366.79, an increase over the corresponding week of 1899 of \$35,-

L. F. Sullivan, formerly with the Big Four, now controller of the Chesapeake & Ohio, has gone to Europe, to be absent six

It is estimated that the Pennsylvania has offered to purchase the minority stock of the Louisville Bridge Company, offering \$150 per share. The Southern Pacific, after investigation, has decided not to adopt the voluntary re-

lief plan in vogue on the Pennsylvania lines east and west. The pay rolls of the Wabash show that there are employed on the system 566 engineers, 688 firemen, 714 brakemen, 352 conductors and 162 yard conductors. Traffic is so heavy on the Chicago division of the Baltimore & Ohio that it is using engines borrowed from the Great

Northern and the Chicago & Alton. F. H. Marsh, superintendent of the Fond du Lac division of the Wisconsin Central, has been promoted to be assistant general superintendent of the entire system. The earnings of the Monon lines, the first week in April, were \$18,179 in excess of

and since July 1 an increase of \$589,990 is The giant mogul, or G-4 express engine of the Pittsburg, Fort Wayne & Chicago, No. 13, is now hauling through trains on the Chicago end of the road and has been deing good work.

those of the corresponding week of 1899,

J. A. Barnard, general manager of the Peoria & Eastern lines, yesterday left on his bridal tour, his private car being attached to Train 20, on the Pennsylvania lines, for New York. The party of New York Central engi-

neers who have been on a trip to California reached Chicago yesterday morning. Since leaving for the Pacific coast they have traveled over six thousand miles. O. P. Spillman, formerly private secre tary to A. A. Zion, superintendent of the Union Railway Company and Belt road

has accepted a position with the Erie lines, with headquarters at Chicago. A report is current in traffic circles that negotiations are pending by which the Erie lines will work more closely with the Big Four. The roads connect at Cleveland. Dayton, Galion, Durbin, Kenton and Boli-

F. L. Blendinger, chief clerk in the office of General Manager Fitch, of the Erie, has been appointed superintendent of telegraph of the entire system, with headquarters at New York, vice W. J. Holmes, de-

The pay cars of the Big Four system were in the city last night. Paymaster Horton states that the pay rolls of the transportation department, for March. were the largest of any month in the company's history. General Passenger Agents Lynch, of the

Lake Erie & Western, are in New York AMOS W. RUSIE IS SUED Robinson, trustee, etc. et al. Owen C. C. city attending the conference of the Joint AMOS W. RUSIE IS SUED Amended motion to dismiss amended as-

Passenger Association. The directors of the Lehigh Valley Railroad yesterday elected Charles Steele to fill the vacancy on the board caused by the death of C. H. Crosby. Mr. Steele is a member of the firm of J. P. Morgan &

weighing not over seventy-five pounds to the yard have been in use on this end of the road for years. The new rails weigh eighty-seven pounds to the yard. The first Big Four excursion of the Michigan division to Louisville last Sunday proved quite a success, about one thousand persons availing themselves of

The Lake Shore is preparing to put in heavier steel on its Western division. Rails

two sections, making sixteen coaches. President E. R. Bacon, of the Baltimore & Ohio Southwestern, was in Baltimore on Sunday. He said that after July 1 the accounting department of the Southwesteru would be moved to Baltimore and operated in connection with that of the Baltimore & Ohio. He said that there would be no other change in the operation of the road.

The earnestness of Elkhart people regarding better Big Four train service to and from Indianapolis, it is stated, may bear fruit. Officials of the road are beginning to realize the needs of the people n this respect, and the fact that the Lake Shore, now owning the Lake Erie & Western, is asking a bid for Indianapolis traffic, may prove a potent influence.

The Baldwin locomotive works are shiping the first fifteen of an order for enfor the Baltimore & Ohio equipped with the Wooten firebox. With this firebox the Baltimore & Ohio will conduct a series of interesting experiments in the burning of low grade coal. If they are successful the Wooten firebox may come into general use on the freight engines of the com-

General Superintendent Thomas Fitzgerald, of the Baltimore & Ohio, has issued the following: "One of the requirements of good service is the payment by employes of the Baltimore & Ohio of their honest obligations. Any attempt to avoid for dismissal. Employes who are in arrears for board and supplies are expected to ad-

It is learned from a reliable source that the rumors that the Pennsylvania had purchased the Western New York & Pennsylvania are groundless. So far as known the Pennsylvania has not made a bid for the stock, and it is doubtful if it will try to buy the smaller company. It is known as a positive fact that the Pennsylvania engineers have surveyed the line from Wilford, and that an original survey and chart of the line from Bradford to Buffalo is already in possession of the Pennsylvania

The officials of the Erie announce that the sections of double track which were recently laid are now being operated, to the great relief of the system. These sections are short, but come in place where heavy grades have been located before, and in avoiding these it has been the same as a great addition to the motive power. The new sections are east from Galion and west from Kent. In addition to these, the new motive power that has been but recently added to that division is allowing the road to handle freight with better effect than ever before in its history. The earnings of the Cincinnati, Hamilton

& Dayton continue highly satisfactory, exceeding those of any former period in the company's history. While its principal increase is from its ore and coal traffic, in merchandise freight its tonnage is still limited by cars that can be furnished, and from its passenger business the revenue is considerably in excess of that of corresponding periods for former years. Its hrough passenger business, in connection with the Monon, between Cincinnati and Chicago, shows a steady and healthy growth, and its percentage in the pool of the three lines is very gratifying to the officials of the road.

In the matter of mercantile excursions Philadelphia has set a good example for Indianapolis merchants. A Philadelphia paper says: "No feature of the Trades League's efficient and successful efforts to promote and increase the trade of the city has furnished better results or has been more generally appreciated than the annual series of mercantile excursions over the principal lines of railway centering in or passing through Philadelphia. The committee has already closed arrangements with three railway lines which provide for nine excusions. The entire season's work is being planned on this extended scale. and the active period will be fully inaugurated with the excursion rates to the Republican national convention in June. After he convention the excursions will occur thick and fast until late in the autumn."

JUDGE SCORES A BANKRUPT.

A Woman Claims He Had Defrauded Her Out of \$1,900.

Judge Baker, of the Federal Court, yeserday granted a discharge in bankruptcy to Edward T. Henderson, of Walkerton. When Henderson first sought a discharge n the bankruptcy court, Mrs. Belle Jackson, a widow living in Walkerton, filed a complaint, charging Henderson with obtaining \$1,900 from her by fraud and false pretenses. She maintained that if Henderson was discharged in bankruptcy it would practically reduce her to pauperism. Judge Baker said that under the law there was nothing he could do but grant Henderson a discharge. Said he: "The statute directing the discharge seems to be framed to screen The date of the national convention of dishonest debtors, and to permit persons railroad commissioners, at Milwaukee, has who obtain money by false pretenses to go free. I am compelled to grant this discharge, but if the charges against the bankrupt are true he ought to be in the State's prison, instead of the bankruptcy

KILLED THE DOG.

Patrolman Shoots an Animal Thought

headquarters last night the killing of a large dog at 1365 Kentucky avenue. The dog was thought to be mad, as it had bit a horse and killed two chickens. The animal belonged to Henry Miller, 1122 Blaine avenue, who said it had been away from home since Monday. The sidewalk in front of Miller's house showed where the dog had torn out pieces of the board with its

New Indiana Associations. The following companies were incorpo-

The Diamond Coal Company, of Evansville; capital stock, \$10,000. Directors: Adolph B. Schmidt, Joseph M. Hartlein and Gus B. Mann.

The Green River Coal Company, of Evansville; capital stock, \$5,000. Directors: George Pritchett, Ezra Lyon, Andy Lyon and G. M. Heddrich. The Aerating Churn Company, of Shipshewanna; capital stock, \$15,000. Directors E. R. Denning, Thomas J. Carter and Frank L. Littleton.

Fireman Mankin's Injuries.

Fireman Frank Mankin, who was injured at the Cones fire, had his left leg amputated yesterday at the City Hospital. The operation was considered necessary to save his life, and he withstood it better than was expected. The physicians are doubtful, however, as to his recovery. In Doubt About Disease.

A suspected case of smallpox in a family living on Nelson street was reported to the Board of Health yesterday. Dr. C. E. Ferguson visited the patient and will make a thorough diagnosis of the case this morning, as he was unable to determine yesterday whether it was smallpox or measles.

Receipts of Substations.

The gross receipts of the substations of the Indianapolis postoffice for the year ending March 31, 1900, amounted to \$64,372.08. The receipts of the Union Station \$47,-382, more than doubled the recepts of all the rest of the substations added together.

A large selection and a high grade of workmanship is a sure guarantee of satis-Young & McMurray, Tailors, 42 N. Penn. st. Big Four; Smith, of the Lake Shore; Hor- faction in merchant tailoring. Gust Ros-

HIS WIFE GOES INTO COURT AND ASKS FOR A DIVORCE.

Restrained from Disposing of H Property-In the High Courts -Other Court Cases.

the opportunity. The excursion was run in Amos W. Rusie, the baseball pitcher, was sued for divorce and alimony by his wife. Susie May Rusie, yesterday, and his brother, William A. Rusie, and father, John H. Rusie, were made codefendants. Judge Allen at once issued a restraining order to prevent the defendants from disposing of any property and set April 30 as the date for the final hearing.

Mrs. Rusie alleges that since their marriage, Nov. 8, 1890, her husband has drunk excessively and for the last six years has been an habitual drunkard. She alleges that he charged her with conduct that gave her great mental distress and that he once struck her in the face. She also charges that her husband struck her on the head at various times, knocked her senseless, threatened to kill her, threatened to shoot her with a revolver he carried and compelled her to remain in his presence by these threats, during which times she became unconscious through fear. On the 12th day of April, this year, she alleges, in New York, he struck her with his fist, threatened to cut her throat with a razor and tried to get into the room where she them will be considered sufficient grounds | was to carry out his purpose. She says through fear she then fled to the protection of friends and came to this city, and

then went to Muncie. She asserts that since their marriage he has made from \$2,000 to \$3,000 a year playing baseball, but that he has not provided for her in a manner suitable to their station in life. She says he invested his money in one lot in Richards's Highland Home addition, two lots in Willard place and two lots in Ridenour's Highland Home on the Philadelphia & Erie, to Brad- addition, which he turned over to his His mother died about a month ago, and her will bequeathed four of these lots to Amos Rusie and the other to his father and brother. She alleges that the codefendants paid nothing for this lot, and that it is one that was held in trust by her husband's mother. She alleges that she is penniless and that her husband has threatened to dispose of the property and appropriate the proceeds to his own use. She asks that he be enjoined and restrained and ordered to pay \$500 for her support and to defray the expenses of the suit while it is pending. She also asks that the three be restrained from disposing of the property she alleges belongs to her husband.

HIGH COURT CASES.

A Judgment Against Indiana Car and Foundry Company Affirmed.

The Appellate Court yesterday affirmed the \$2,000 judgment obtained by John F. Masters against the Indiana Car and Foundry Company for injuries received on account of the upsetting of a ladle containing several hundred pounds of melted iron, which badly scalded him.

The Supreme Court reversed the decision | \$32.50 at cost of estate. in the case of Charles H. McCarty vs. Louis A. Kinsey. McCarty sued Kinsey for slander. The jury in the Marion Superior Court found for the defendant. Mc-Carty then brought suit in the Circuit Court, and Kinsey set up the former suit in the Superior Court as a bar to the action. The case was appealed to the Supreme Court, which held that the Superior Court had no jurisdiction in a slander suit, and, therefore, the action of complainant was not barred in the Circuit

In reversing the decision in the case of August Rosenbaum against the State of Indiana, the Appellate Court held that a saloon keeper cannot be legally fined for sale of liquor on Sunday made by his bartender in his absence, and in direct violation of his instructions.

For Injuries to a Child.

Moses Pauline, as next friend, brought suit in behalf of his son, Lewis Pauline, two years old, against Mary Farmen yesterday for \$5,000 damages. He says that he lives in property at 943 South Capitol avenue that belongs to Mary Farmen, and that on April 6 his little son fell into a vault in the back part of the yard, sustaining several severe cuts about the body and spine and that the child was nearly smothered before he was rescued. He alleges that it was through negligence that the building was in a rotten condition and unsafe, of which the defendant was aware. and says she had promised to have the building repaired.

Railroad Man's Wife Sues.

Lula M. Riggor brought suit against her husband, Charles H. Riggor, for divorce yesterday, the custody of their daughter Ethel, thirteen years old, and alimony. She alleges that he has threatened to kill her, and asks the court to grant a restraining order for her protection. She asserts | tel. moderate rates. See ad on Page 2. that he is a railroader, making \$100 a month, and asks that he be ordered to contribute to the support of herself and her daughter while the suit is pending.

Gas Company Said to Be Responsible. The case of William H. Williams, administrator, against the Indianapolis Gas Company, for \$10,000 damages, began in Superior Court yesterday. Maggie E. Williams, the plaintiff's wife, died Sept. 22, 1898, and he alleges that her sickness and death were brought about by the company allowing Patrolman Scribner reported to police the service pipe to become clogged so that sufficient gas was not supplied to warm the house.

The White Jury Out.

The case of Wayman White, charged with the murder of George Williams, reached the jury at noon yesterday, but it returned at 5 o'clock in the afternoon for another hearing of the instructions. In the argument Henry Spaan, attorney for the defendant, brought tears to the eyes of many when he described White acting in defense of his brother.

Caroline Thornberry's Suit.

Caroline Thornberry filed suit against

the Indianapolis Rubber Company yesterday for \$25,000, alleging that her health has bet permanently impaired by inhaling fumes from bisulphide of carbon used in welding rubber while she was employed by

THE COURT RECORD. SUPREME COURT. 18781. McCarty vs. Kinsey. Marion C.

C. Reversed. Monks, J.-1. An answer of

was slanderous will not change the rule.

5. The mere fact that there is a finding

ble C. C. Appellant's brief. 19129. The Board of Commissioners

Perry county et al. vs. Casper S. Gardner. Perry C. C. Appellant's reply brief (2). 19104. Henry Severin et al. vs. John C.

former adjudication is not founded on the pleadings in the former suit, and it is not necessary to file with such answer a copy thereof as an exhibit. 2. In this State Superior Courts have no jurisdiction of actions for slander. 3. Such courts have jurisdiction of actions to recover damages for assault and battery. 4. The language used by the parties during an altercation is admissible in evidence as part of the res gesta. 5. In actions for assault and battery the plaintiff recovers damages for physical and mental suffering, humiliation, degredation, shame, loss of honor and good name and mental suffering, if any, caused by the assault and battery and the language used by the defendant during the altercation, and as the jury may consider the language spoken in awarding the dam-

for defendant in an action for assault and battery will not bar an action against the defendant for slander growing out of the same altercation or transaction. 19229. Thomas Bloom vs. State of In-EDUCATIONAL. diana. Huntington C. C. Appellant's application for certiorari. Notice. Brief. 19313. Mile Gaff vs. State of Indiana. No-

Amended motion to dismiss amended assignment of errors. APPELLATE COURT.

Masten vs. Indiana Car, etc., Com-Marion S. C. Affirmed. Robinson. J.-1. Affidavits in support of a motion to set aside a default, together with the motion, are not for the purpose of adjudging the judgment null and void, but for the purpose of allowing the moving party to interpose a defense to the action, and a demurrer to the motion and affidavits for want of facts amounts to a submission of the motion and affidavits to the court for a hearing on the facts therein set out. 3 A motion is properly heard on affidavits only, although in the discretion of the court oral testimony may be heard also, and such affidavits are evidence and not leadings, and when so treated by the trial ourt they will be so considered on appeal. The statute does not require that a motion and affidavits to set aside a default set out the original cause of action, but simply the nature of it, but the facts constituting the defense must be shown. 4 When the trial court decides an issue of fact made by affidavits in a cause the conclusion of the court will not be disturbed if it is supported by any evidence. There is no statutory prohibition against he attorney general accepting private professional employment. 6. If the facts relating to a motion to set aside a default are undisputed and the conclusion to be drawn from these facts is indisputable the question for the trial court is then one of law. 7. Whether there was excusable neglect in allowing a judgment to be taken by default is to be determined by the particular facts of the case.

2746. Rosenbaum vs. State of Indiana Jasper C. C. Reversed. Wiley, C. J .- A licensed to keep a saloon cannot be held liable for a violation of law by his servant in making a sale of liquor during prohibited hours when the violation takes place in the absence of the owner and in lirect violation of his instructions to his servant. 3256. Haas vs. Cones, etc., Manufacturing Company. Tipton C. C. Motion for leave

to comply with rule granted and ten days -Minutes.-3076. The Holt Ice and Cold Storage Company vs. The Arthur Jordan Company. Marion S. C. Appellants' points. 3221. Joseph Harris Ward vs. The Pittsburg, Cincinnati, Chicago & St. Louis Rail-

way Company. Porter C. C. Appellee's 3237. John H. Bass, receiver, vs. Wilhemina Reitdorf. Dekalb C. C. Appellee's brief. SUPERIOR COURT. Room 1-John L. McMaster, Judge.

John W. Oliver vs. Edward Ferger; on contract. Evidence heard. Wilkison Pape and Bessie Sample vs Susie Ann Trabue et al.; foreclosure. Finding of judgment for plaintiff against defendant and costs. Decree of foreclosure and order of sale. Room 3-Vinson Carter, Judge.

Florence A. Douthitt vs. The North American Construction Company et al.; damages. Jury returns verdict for defendants. The Almo Cement Company vs. James W. Wilding et al.; judgment. Finding and judgment against defendantas, W. R.

Hines and Victor M. Backus, for \$1,960 and On motion of H. M. Dowling Arthur A Laughlin was admitted to the bar. Charles E. Reynolds et al. vs. James Renihan; contract. Plaintiff dismissed cause. Judgment against plaintiff for costs. William H. Williams, administrator, vs. Indianapolis Gas Company; damages. On trial by jury.

CIRCUIT COURT.

Henry Clay Allen, Judge. Joseph Friedman et al. vs. Mrs. Cornelia Buckner; injunction. Temporary restrainng order granted against defendant. R. H. Bigger vs. Henry M. Smith's Estate; claim. Allowed by administrator for John W. Bales vs. Jessie Snider's Estate; claim. Finding for estate. Judgment and claimant for costs. Michael O'Connor vs. Oolite Quarry Company; damages. Trial resumed. Additional

evidence heard. CRIMINAL COURT.

Fremont Alford, Judge. Wayman White; murder. Trial by jury resumed. Argument concluded. Instruction of court given. Jury out. Jury returned to be reinstructed.

NEW SUITS FILED. Bell Douglass vs. Samuel Douglass; divorce. Superior Court, Room 1. Adaline Thornberry vs. The Indianapolis Rubber Company; damages. Demand \$25,-000. Superior Court, Room 3. Lula M. Riggor vs. Charles H. Riggor; divorce. Superior Court, Room 3. Ida J. Carter vs. Lemuel J. Carter; divorce. Superior Court, Room 2. Louis Morgan and James Jackson Cornelia Weyenberg et al.; complaint to fcreclose mechanic's lien. Superior Court. Room 1. Susle May Rusie vs. Amos W. Rusie, William A. Rusie and John Rusie; divorce.

friend, vs. Mary Farmen; damages. Demand \$5,000. Circuit Court.

Lewis Perline, by Moses Perline, his next

Circuit Court.

New Members Admitted. One hundred and one new members have been admitted to the Commercial Club during the last six weeks. Twenty-one who were admitted yesterday were: F. H. Mc-Elroy, V. H. Rothley, A. R. Baxter, J. Moore, C. H. Carson, R. M. Coffin, Marquis, J. R. Kackley, E. R. Keith, E. Lybrand, E. W. Fenger, Robert Lieber, C. F. Cleveland, L. A. Coleman, M. Zener, W. M. Workman, George D. Levy, S. A. Townsend, F. A. Macdonald, H. H. Gates and C. H. Talmage.

Hotel Empire, New York, high-class ho-



○FIRST APPEARANCE



ages the mere fact that the language used Guaranteed Capital City Paint Indianapolis Paint and Color Co. 240-248 Massachusetts Avenue.

VORIES'S

Dorflinger Glass craft NUMBER TWO.

every piece.

Cigar Store, The Wyoma.

date of this list:

Atewell, Mrs. Mellie.

Andrews, Miss Emma. Berry, Miss Madge.

Claypool, Miss Annie. Childress, Miss Cora.

Conover, Mrs. Mary. Cherry, Mrs. Mary Carr, Mrs. Darro.

Dickey, Mrs. Margaret

Fletcher, Mrs. Marie L. Gordon, Miss Lizzie,

Gorden, Miss Leila. Grimes, Mrs. Lena.

Gregory, Mrs. John. Greer, Mrs. George

Giezendanner, Mrs.

Howard, Miss Mabel. Halder, Miss Velma. Holder, Miss Velma.

Hess, Mrs. Mary. Howard, Miss Mabel. Hierholzer, Miss Elisa

Hall, Miss Estella G.

liatt, Mrs. E. P.

Kernan, Mrs. J. M.

Hendery, Mrs. Lue. Kelly, Miss Minnie

Keen, Mrs. Lizzie. Klingle, Miss Laur Lasher, Mrs. Fr

Bosale, Burt.

Brown.

Clarkey.

Byers, Dwight.

enton, Chas. H

Copeland, Harry, Dunn, W. A.

Denner, Jos.

Frick. O. P.

Bardner, J. L.

Hill, Edith.

Hamilton.

Jackson.

ohnston.

Kemp, Geo. King, R. H

Leach, Jack. Lee, Ward J

Lathropp,

Lawrence.

Johnson, A

Harris, Roy. Harter, S. H.

Harrell, Chas.

Holloway, C. E.

onnston, Atlanta.

Laughman, Geo. W.

Matson, F. A.

Mendenhall, Milton

Frank.

Krockley, T. R.

Chas.

Greaham, Orar,

Goff, J. L. (2.)

Edwards,

Frank.

Halder, Holder,

mer, Miss Mary L.

ilby, Miss Emma.

Brown, Mrs. A.

Cook. Miss.

SEALS, STENCILS, STAMPS.

EOJMAYER, SEALS, TOTAL STENCILS, STAMPS, CATALOGUE FREE BADGES, CHECKS &C. TEL 1386. 15 SMERIDIAN ST. GROUND FLOOR.

ADVERTISED LETTER LIST.

Following is a list of letters uncalled for in

lianapolis postoffice Wednesday, April 18, 1906.

Parties calling for same please give name and

Ladies.

Miller.

Main, Effa.

Lightfoot, Mrs. W. A. Malaline, Miss Sophia. Morris, Miss Bettie.

Malvern, Miss Mary,

Mathews, Mrs. Blanck

Miller, Mrs. Fannie

Manning, Miss Luelle

Moore, Miss Grace E.

Murray, Mrs. Mollie. McDonald, Miss Ella. McCallum, Miss Beu-

Mann, Miss Effie. Mitchell, Miss Mattie.

Nunn, Mrs. Charlotte.

Ogan, Mrs. Wm. H. Paddock, Mrs. C. C.

Patterson, Mrs. Lucy. Patrick, Lulu L.

Shimer, Miss Daisy.

Smith, Mrs. I. N. Stevenson, Miss Hat-

Sewall, Mrs. Snider, Tine. Sherman, Harry. Miss

Shockiey, Mrs. M. E. Stillabower, Mrs. Dora

Stark, Miss Effa.

Torrey, Mrs. A. B.

Winston, Mrs. Fanny. Williams, Mrs. Fannie, Williams, Mrs. Harry.

Wright, Mrs. Jennie.

Mathews, Smith.

Moore, Gus T. Mitchell, Mr. Mapley, James. McOwen, O. W.

McPherson, Mack. Mitchell, Harry.

Moyer, Frank. McMurdie, C. H. Owens, Robert.

Orr. Harry C. Russell, Walter.

Robinson, O. C.

Rowan, Frank. Richson, P.

Rogers, Sam. Reser, Wm. Sheely, O. P.

Strong, Herbert Smith, Harry. Steinwalt, E. T.

Sewell, Wm. J.

Selby, Bert. Squire, Rilla P. Troutman, Bud. Varner, T. H. Williams, D. W.

Williams, J. D. Willson, J. T.

Williams, Harry.

Wiler, Roy. Wryinger, S. H. Young, F. F.

Young, Lawrence,

Young, Dan. Collins Cart Cc. Correspondence Agency

Economy Plate Pub.

. C. Herman & Co.

Nat. Literary Bureau.

Henry Mayer & Co. Threshermen's Friend

ndpls Hardwood Co.

U. S. Literary Bureau. Botanic Med. Coll.

Buchanan & Turner.

Puckeye Paint and

Waterproof

Wisted, Lee.

Central

Linen Co.

Hoosier Imp. Co.

Monthly Herald.

Varn. Co

JAMES W. HESS, Postmaster.

LEGAL ADVERTISEMENTS.

FREE GRAVEL ROAD LETTING.

Notice to Gravel Road Contractors.

Notice is hereby given that sealed bids will be

for the construction of seven (7) miles, 2,348 feet

of free gravel roads in Ohio township, Bartholo-

the auditor's office at Columbus, Indiana. Said

seven (7) miles, 2,348 feet are divided into three

mew county, Indiana, according to the maj profiles, plans and specifications now on file

livisions, as follows, to wit: Section No. 1 is 1 mile, 3,165 feet in length.

Section No. 2 is 3 miles, 3,228 feet in length.

Section No. 3 is 2 miles, 1,235 feet in length.

rately. No bid will be entertained in excess of

the estimated cost as reported by the engineer and viewers. Bidders to file bonds in double the amount of their bids, payable to the Board of

commissioners of said county, signed by at least

two resident freeholder sureties, or by a surety

company, resident or nonresident, to the ap-proval of said board, for the faithful perform

ance and execution of said work, according to

said plans and specifications. All bids must be

diana, by 10 o'clock a. m., May 7, 1900, when

bids will be opened and contracts awarded. All

bidders to furnish John W. Morgan, county at-torney, Columbus, Indiana, with a list of names

offered on their respective bonds (or furnish other proof of the sufficiency of the bonds) on or

before the 5th day of May, 1900. The board re-

serves the right to reject any and all bids, and

to award the contracts in accordance with the law and equity of the bids filed. In the event that the bonds to be sold to pay for the con-struction of said roads shall fail to sell, as is

now provided by law, said bidder or bidders to

take the bonds in payment of his contract price.

Witness my hand and the seal of the Board

f Commissioners of Bartholomew county this

NOTICE OF FIRST MEETING OF

CREDITORS.

In the District Court of the United States fo

In the matter of Lemon H. Trotter, bankrupt

to the creditors of Lemon H. Trotter, of Ir

dianapolis, in the county of Marion, and dis-

Notice is hereby given that on the 14th day of

April, A. D. 1900, the said Lemon H. Trotter was duly adjudicated bankrupt; and that the

rst meeting of his creditors will be held at toom 62. Lombard building, No. 241/2 East

Washington street, in the city of Indianapolis, Marion county, Indiana, on the 27th day of April, A. D. 1900, at 9 o'clock in the forenoon, at which time the said creditors may attend, prove

their claims, appoint a trustee, examine the bankrupt and transact such other business as may properly come before said meeting.

ALBERT RABB, Referee in Bankraptey.

Indianapolis, Ind., April 16, 1900.

he District of Indiana. In bankruptcy.

575. In bankruptcy.

trict aforesaid, a bankrupt:

the 9th day of April, 1900

THOMAS MAY, H. C. HARRIS,

JESSE DAY,

SAMUEL W. FITCH.

Auditor Bartholomew County.

Board of Comm

with the county auditor at Columbus, In-

Parson

Smith, Wm. Smith, L C.

Cathson

Harry.

Herbert A

Mayers, Mitchell.

Rethan, Robbin.

Roos. Jo

Gentlemen.

Rodgers, Mrs. Minnie. Robinson, Miss Mattie. Robinson, Miss Gail.

Martin, Miss Sarah.

Marey, Mrs. Effie.

The Standard of Color and Purity

Our glass makers have a standard of color and purity which is beyond criticism. The quality of the materials have kept pace with our skill and experience, and it is now safe to say there is nothing left to be attained in the color, clearness and brilliancy of our glass; nothing foreign approaches it. Sold all over the United States.

C. DORFLINGER & mark label on

Base Ball at Washington Park

SONS

Opening of the Championship Season FRIDAY, APRIL 20 INDIANAPOLIS vs. CLEVELAND

Game Called at 3:30 p. m. Tickets on sale at Huder's Drug Store, Chas, F. Mey-

ers's, Lavery's Cigar Store, Cook's Cigar Store, Bates House Drug Store, A. Steffen's AMUSEMENTS.

GRAND-To-Night-25c MAT.

BEAUTIFUL PRODUCTION OF John Drew's Famous Society Comedy Success,

The Butterflies"

Evening Prices-Lower Floor, 50c; Balcony, 25c; gallery, 15c; Matinee, 25c. NEXT WEEK—Return of the Magnificent

Same Splendid Production! Same Powerful Cast!

Roman Spectacle,

Prices—Evening: First fourteen rows orchestra, 75c; balance, 50c; balcony, 25c; gallery, 15c. Matinees, Wednesday and Saturday: Lower floor, 50c; balcony, 25c. **∌ENGLISH'S**€

-TO-NIGHT-Charles Frohman Presents **JULIA MARLOWE**

"Barbara Frietchie" 13 Seats now ready.

Friday, Saturday, April 20-21, Matinee Sat. JEROME SYKES and EDNA WALLACE HOP-CHRIS and the WONDERFUL LAMP PRICES-Night: \$1.50, \$1, 75c, 50c, 25c. Mati-

Monday, Tuesday, April 23, 24, ANDREW MACK. "THE LAST OF THE ROHANS" Seats now ready.

PARK-TO-DAY-The big sensational comedy-drama,

"Uncle Josh Spruceby" The Thrilling Sawmill Scene And Other Exciting Features

10c, 20c, 36. Everybody goes to the Park. April 23, 24, 25—"For Fair Virginia." Empire & Theater Wabash and Delaware Sta.

ONE WEEK Monday Matinee APRIL 16 CLIFF W. GRANT'S LITTLE EGYPT BURLESQUERS

April 28, 24, 25-BOHEMIAN BURLESQUERS April 26, 27, 28-"EUROPEAN SENSATION." At the German House

Thursday, April 19th, at 8:30 o'clock, MISS

The Eminent Violiniste, Assisted by the Philharmonic Club Seats, \$1, on sale at Carlin & Lenox Music

LEGAL ADVERTISEMENTS. NOTICE TO CONTRACTORS. Sealed proposals will be received by the Board of Commissioners of Gibson county, Indiana, at the auditor's office in the city of Princeton, Indiana, until 12 o'clock noon of the

11TH DAY OF MAY, 1900, and not thereafter, for the construction of ten separate roads, comprising 22 miles and 3,457 feet of gravel or macadam roads, petitioned by Robert Mitchell et al., in accordance with the maps, profiles and specifications filed by the engineers and viewers in said matter and proved by the Board of Commissioners of said Gibson county, and now on file in the auditor's office of said county. Proposals shall be made separately upon each road. Bidders shall speciseparately upon each road. Sinders shall specify in their proposals the time in which they
will construct and complete the roads proposed
to be constructed. All proposals must be accompanied with a bond in double the sum of
the proposal, conditioned, as required by law,
with at least two resident freehold sureties of the State of Indiana, and satisfactory proof the solvency and sufficiency of such surety mus be made to the Board of Commissioners. proposals must be made upon forms furnish by the auditor of Gibson county, Indiana Map and profiles may be seen in the office of the auditor of Gibson county, and copies of the specifications and estimates and blank forms of roposals and bonds may be had of Samuel R. Adams, auditor, Princeton, Indiana. the General Assembly of the State of Indiana entitled "An act concerning the construction of free gravel, stone or macadamized roads," etc Approved March 3, 1833, and acts amendator

thereto. The board reserves the right to reject any or all bids. EMBREE C. FARMER, JOSEPH MOORE, PHILIP MARTIN. Board of Commissioners Gibson County, Indiana Attest: SAMUEL R. ADAMS, Auditor Gibson

Princeton, Indiana, April 10, 1900. INDIANAPOLIS AND VINCENNES

RAILROAD COMPANY. Indianapolis, Ind., April 16, 1900 The annual meeting of stockholders of the Indianapolis & Vincennes Railroad Company will be held at the principal office of the company in the city of Indianapolis, Ind., on

THURSDAY, MAY 10, 1900.

at 2 o'clock p. m., for the election of seven di-rectors to serve for the ensuing year, and the transaction of such other business as may properly come before the meeting.

8. B. LIGGETT, Secretary. PROPOSALS FOR VEGETABLES .- Office Chief PROPOSALS FOR VEGETABLES.—Office Chief Commissary, Chicago, Ill., April 16, 1900, Sealed proposals will be received here until 11 m. May 17, 1900, and then opened, for furnishing and delivery of such fresh potatoes and onions as may be required at Forts Brady and Wayne, Mich., and Sheridan, Ill., Rock Island Arsenal, Ill., Indianapolis Arsenal, Ind., Columbus Barracks, Ohio, Fort Thomas, Ky., and Columbia Arsenal, Tenn., for four months from July 1, 1900. Proposals received up to and opened at same hour by commissaries of these posts. Information furnished on application here or to post commissaries. Envelopes containing proposals should be marked "Proposals for Fresh Vegetables," and addressed to undersigned or Commissary at post bid for. W. L. ALEXADDER, Major, C. S., Chief Commissary.